

**IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA**

BILLY HILL

Plaintiff,

VS.

**RARE HOSPITALITY
MANAGEMENT, LLC DBA
LONGHORN STEAKHOUSE,
DAVID WILLIAMS** in his/her/their
professional capacity, and **JOHN
DOES NOS 1-10**, whether singular
or plural, masculine or feminine,
individuals or corporations, who are
not known at this time, but will be
added by amendment when
ascertained.

Defendant(s).

CIVIL ACTION NO.:^{23A00559}

NOTICE OF LAWSUIT

COMES NOW Billy Hill, by and through undersigned counsel of record,
and files this Notice of Lawsuit and respectfully puts RARE Hospitality
Management, LLC dba LongHorn SteakHouse and David Williams on notice of
the following:

1.

I am notifying you in writing, pursuant to my requirements under O.C.G.A.
§ 9-11-4(d)(3)(A), that a lawsuit in the above-captioned court has been

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BY: Monica Gay

commenced against you. A copy of the complaint in the above-captioned case is attached to this notice, as is required by O.C.G.A. § 9-11-4(d)(3)(C). This notice has been sent via certified mail with return receipt requested to be the most reliable means of ensuring delivery, above and beyond the requirements of O.C.G.A. § 9-11-4(d)(3)(B). The caption at the top of this notice contains the Court, County, and Civil Action Number assigned to the Complaint for Damages of the Plaintiff.

2.

This is not a formal summons or notification from the court, but rather my request pursuant to Code Section 9-11-4 of the Official Code of Georgia Annotated that you sign and return the enclosed Acknowledgment of Service, Waiver of Issuance of a Summons, Waiver of Defense of Insufficiency of Service of Process, and Waiver of any Further Service to save the cost of serving you with a judicial summons and an additional copy of the complaint.

3.

Your duty to avoid the unnecessary cost of service under O.C.G.A. § 9-11-4(d)(3) will be properly performed if I and the Court receive a signed copy of the waiver within 30 days after the date designated below as the date on which this notice is sent. I have enclosed a stamped and addressed envelope for your use. An extra copy of the waiver is also attached for your records. **YOU ARE ENTITLED TO CONSULT WITH YOUR ATTORNEY REGARDING THIS MATTER.**

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4.

If you comply with this request and file with the above-captioned Court and return a copy to me of the signed Acknowledgment of Service, Waiver of the Issuance of a Summons, Waiver of Defenses of Insufficiency of Service of Process, and Waiver of any Further Service, the Waiver will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before sixty (60) days from the date you execute the enclosed Acknowledgment of Service, Waiver of the Issuance of a Summons, Waiver of Defenses of Insufficiency of Service of Process, and Waiver of any Further Service.

5.

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Georgia Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you to pay the full cost of service of summons, which is set forth on the Notice of Duty to Avoid Unnecessary Costs of Service of Summons enclosed herein.

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6.

Subsection (d) of Code Section 9-11-4 of the Official Code of Georgia Annotated requires certain parties to cooperate in saving unnecessary costs of service of the summons and the pleading. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for such defendant's failure to sign and return the waiver.

7.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons) and may later object to the jurisdiction of the court or to the place where the action has been brought.

8.

A defendant who waives service must, within the time specified on the waiver form, serve on the plaintiff's attorney a response to the complaint and also must file a signed copy of the response with the court. If the answer is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

Executed today, February 3, 2023.

DOZIER LAW FIRM, LLC



David Thomas Dorer
Georgia Bar No.: 934408
Attorney for Billy Hill

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CERTIFICATE OF SERVICE

I hereby certify that, upon acceptance from the Clerk of Court, a file-stamped copy of the foregoing Notice of Lawsuit will be dispatched to the Defendant(s) through first-class mail or other reliable means with a request that said Defendant(s) acknowledge and waive service of process pursuant to O.C.G.A. § 9-11-4(d). Said persons so served are:

RARE Hospitality Management, LLC
dba LongHorn SteakHouse
c/o: Corporate Creations Network
2985 Gordy Parkway, 1st Floor
Marietta, Georgia 30066

David Williams
4315 Hugh Powell Road
Tucker, Georgia 30084

Executed today, February 3, 2023.

DOZIER LAW FIRM, LLC



David Thomas Dorer
Georgia Bar No. 934408
Attorney for Billy Hill

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